UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/453,918	04/27/2000	Hwa Kyung Lee	Q58987	1307

7590   03/11/2003

SUGHRUE MION ZINN MACPEAK & SEAS
2100 Pennsylvania Avenue NW
Washington, DC 20037

EXAMINER
LIN, KENNY S

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 03/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/453,918	Applicant(s) LEE ET AL.
	Examiner Kenny Lin	Art Unit 2154

-- *The MAILING DATE of this communication appears on th cover sheet with th correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 September 2000* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 April 2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Pri rity under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

       1.☒ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____ .

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-11 are presented for examination.

Drawings

2.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: (a)-(g) of figure 2, (a)-(f) of figure 5 and (a)-(i) of figure 7 are not found in the disclosure, instead (A)-(G), (A)-(F) and (A)-(I) for figures 2, 5 and 7 respectfully are used. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4.   Claims 4-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

    a. The following terms render the claims indefinite:

        i. an inputs – claim 4 (i.e. said inputs);

        ii. .the plural – claim 6 (remove the period);

        iii. judgement step – claim 7 (i.e. judgment step), (the claim language is unclear since there contains more than one judgment step, correction is needed to specify that the judgment step refers to the step of "judging if the certain time period elapses" as it is disclosed in the specification);

    iv.   such as – claim 10 (the phrase "such as" renders the claim indefinite

because it is unclear whether the limitations following the phrase are part

of the claimed invention. See MPEP § 2173.05(d));

    v.   and so on – claim 10 (the phrase "and so on" renders the claims indefinite

because the claims include elements not actually disclosed, thereby

rendering the scope of the claims unascertainable. See MPEP

§ 2173.05(d)).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-4 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kotola et al (hereinafter Kotola), US Patent 6,321,257, in view of Kraft et al (hereinafter Kraft),

US Patent 6,487,424.

7.   As per claim 1, Kotola taught the invention substantially as claimed in claim 1 including

a method for executing an object in a wireless internet access terminal, comprising steps of:

    a.   interpreting data inputted through the internet and display the inputted data (col.2,

lines 32-37, col.3, lines 59-65); and

      b. each of plural objects displayed on a screen linked to predetermined resource access location information (col.3, lines 24-32).

8.   Kotola did not specifically teach to focus any one of plural objects and to select and execute any one of various execution items of the focused object according to an input state of a single button. Kraft taught a data entry method to focusing any one of plural objects (fig. 6) and to select and execute any one of various execution items of the focused object according to an input state of a single button (col.1, lines 31-37, 52-59, col.12, lines 63-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kotola and Kraft because Kraft's teaching of displaying and highlighting the objects, selecting and executing the highlighted object according the input state of a single button eliminates the needs of using or having multiple buttons for selection on the mobile device and can reduce the size of the mobile device such as a cellular phone.

9.   As per claim 4, Kotola taught the invention substantially as claimed in claim 4 including a method for executing an object in a wireless internet access terminal, comprising the steps of:

      a. Interpreting data inputted through the internet and displaying the inputted data on a screen (col.2, lines 32-37, col.3, lines 59-65); and

      b. each of plural objects displayed on a screen linked to predetermined resource access location information (col.3, lines 24-32).

10.   Kotola did not specifically teach to focus any one of plural objects and to display plural execution items sequentially one by one by displaying one of the plural execution items of the

focused object on one screen and executing an execution item displayed on the present screen by

an input from the button. Kraft taught a data entry method to focusing any one of plural objects

(fig. 6) and to display plural execution items sequentially one by one by displaying one of the

plural execution items of the focused object on one screen and executing an execution item

displayed on the present screen by an input from the button (fig. 6, col.1, lines 52-59, col.2, lines

28-41, col.3, lines 35-40, col.12, lines 63-65). It would have been obvious to one of ordinary

skill in the art at the time the invention was made to combine the teachings of Kotola and Kraft

because Kraft's teaching of displaying plural execution items sequentially one by one provides

an organized screen display and allows user to easily view and pick the desire objects.

11.   As per claim 2, Kotola and Kraft taught the invention substantially as claimed in claim 1.

Although Kraft taught to use a single button to move cursor and to select an item (col.1, lines 52-

59, col.2, lines 50-54), Kotola and Kraft did not specifically teach that the input state of the

button include a short time period input, a long time period input, and a twice consecutive input.

However, it is well known to provide different input state to a single button. For example, the

left button of a computer mouse is provided with three different input state: 1) a short click

highlights an object, 2) double click executes or opens an object, and 3) press and hold the button

allows mouse to select more than one objects. Another example is the power button of a Palm

pilot which is given two different input state: 1) short time period input turns on the device and

2) long time period input turns on the back light to night viewing. It would have been obvious to

one of ordinary skill in the art at the time the invention was made to combine the teachings of

Kotola, Kraft and provide three or more different input state to a single button similar to the

function of the button of a computer mouse and reduce the number of unnecessary buttons on

Kotola and Kraft's apparatus.

12.   As per claims 3 and 8, Kotola and Kraft taught the invention substantially as claimed in

claims 1 and 4. Kotola further taught to include that wherein the execution items of an object

include operations of updating a screen while navigating according to the resource access

location information (col.7, lines 4-10); updating a screen for displaying the resource access

location information (col.7, lines 10-18); and storing the resource access location information in

a temporary storage unit to be immediately accessed in the necessity of a user (col.7, lines 19-

28).

13.   As per claim 9, Kotola and Kraft taught the invention substantially as claimed in claim 4.

Kotola further taught that a screen is updated while navigating according to the resource access

location information (col.7, lines 4-10). Kotola and Kraft did not teach that the screen is updated

if the input from the button lasts for less than a certain time period. However, it is design choice

for one of ordinary skill in the art to select any type of inputs and sign it to use for displaying the

plural execution items of the focuses object or execute the displayed item. Microsoft Windows

allows users to change the button assignments to suit user preferences. It would have been

obvious to one of ordinary skill in the art at the time the invention was made to combine the

teachings of Kotola, Kraft and further assign different inputs to execute different commands in

Kotola and Kraft's apparatus according to design choices.

14.   As per claim 10, Kotola and Kraft taught the invention substantially as claimed in claim 4. Kraft further taught to sequentially display the execution item one by one on the screen (fig. 6, col.1, lines 52-59, col.2, lines 28-41, col.3, lines 35-40, col.12, lines 63-65). Kotola and Kraft did not specifically teach that the execution items such as "get", "information view", "bookmark", "cancel", and so on are sequentially stored in a storage unit, one execution item is read from the storage unit by an input from the button to be displayed on one screen, so that plural execution items are sequentially displayed on the screen one by one. However, storing execution items in sequence in a storage unit and displaying them sequentially by an input is well known in the art. One of ordinary skill in the art would have noticed that such storage method could be programmed using a circular link list structure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kotola, Kraft and sequentially storing the execution items and displaying by an input.

15.   As per claim 11, Kotola and Kraft taught the invention substantially as claimed in claim 10. Kotola further taught to use a database as a storage unit (col.7, lines 23-28). Kotola and Kraft did not specifically teach that storage unit is a flash memory. However, it is well known in the art that use a flash memory as either the memory for a device or a hard drive. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kotola and Kraft and use a flash memory as a storage unit similar to how many digital cameras function for the Kotola and Kraft's apparatus as design choice.

16.   Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotola et al

(hereinafter Kotola), US Patent 6,321,257, and Kraft et al (hereinafter Kraft), US Patent

6,487,424, as applied to claims 1-4 and 8-11 above, and further in view of Mitchell et al

(hereinafter Mitchell), US Patent 5,966,671.

17.   As per claim 5, Kotola and Kraft taught the invention substantially as claimed in claim 4.

Kotola and Kraft did not specifically teach that the inputs from the button to include an input

lasting for more than a certain time period and a stop of the input. However, it is well known in

the art to use a long pause input and a stop of the input. Such example can be found in a Palm

pilot's power button. One can press and hold the power button for a certain time period to turn

on the back light for the screen and also use the same button to turn off the light. Mitchell taught

an apparatus to include a smart button take uses a long press and a short press as inputs (col.4,

lines 36-38, 42-48, 55-56, 59-62). It would have been obvious to one of ordinary skill in the art

at the time the invention was made to combine the teachings of Kotola, Kraft and Mitchell

because Mitchell's teaching of using long press and short press for a button enables the buttons

on Kotola and Kraft's apparatus to control more functions.

18.   As per claim 6, Kotola, Kraft and Mitchell taught the invention substantially as claimed

in claims 4-5. Kotola, Kraft and Mitchell did not specifically teach that the plural execution on

times are sequentially displayed if the input from the button lasts for more than a certain time

period, and an execution item displayed on the present screen is executed if the input is stopped.

However, it is design choice for one of ordinary skill in the art to select any type of inputs and

sign it to use for displaying the plural execution items of the focuses object or execute the

displayed item. Mitchell taught to use the long press to initial or end a call (col.5, lines 57-60,

col.6, lines 12-16). Microsoft Windows allows users to change the button assignments to suit

user preferences. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of Kotola, Kraft, Mitchell and further assign

different inputs to execute different commands in Kotola, Kraft and Mitchell's apparatus

according to design choices.

19.   As per claim 7, Kotola, Kraft and Mitchell taught the invention substantially as claimed

in claim 6 including displaying a first item of a menu on the screen if the input last for more than

a certain time period and executing an execution item displayed on the present screen if the

lasting input is stopped (see claims 5-6 rejection). Mitchell further taught to judge if the certain

time period elapses; judge if the input still lasts in case the certain time period elapsed; and judge

if the item displayed on the present screen is the last one in case that the input still lasts (col.6,

lines 44-51).

20.   Kotola, Kraft and Mitchell did not specifically teach the steps of:

    a. Branching to the time period elapse judgment step after displaying a next item on

        the screen if the item is not the last one; and

    b. Branching to the first item display step after displaying a "cancel" time if the item

        is the last one.

However, it is well known in the art to provide the same features for different windows. For example, each different window in Windows environment is give the function of close, minimize, maximize, size and move even when the contents displayed in the windows are different. It would have been obvious to one of ordinary skill in the art to provide judgment step for a next item on the screen so to determine whether the time period elapsed or not. Furthermore, it is obvious to loop the options back to the first one when the option display reaches the last one so the display of the options can be continuously. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kotola, Kraft and Mitchell and circularly loop the options so to continuously display the options.

Conclusion

21.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kikinis, US 6,243,596, disclosed cellular phone with web browse feature.

Courtis et al, US 6,272,361, disclosed radio phone with button pressing inputs.

Kato et al, US 6,297,795, disclosed information processing apparatus.

Han et al, US 6,522,893, disclosed method for setting timer of cellular phone.

Bettis, US 6,421,708, disclosed WWW access for voice messages.

Go, US 5,963,875, disclosed automatic dialing for mobile phone.

Mackenthun, US 5,969,318, disclosed apparatus for issuing application cards.

Theimer, US 6,519,241, disclosed mobile phone for Internet applications.

Thakker, US 6,487,602, disclosed method for accessing Internet.

Van Hoff et al, US 5,959,623, disclosed advertisements displaying.

Horstmann, US 6,285,985, disclosed stored advertisement displaying.

Marsh et al, US 5,848,397, disclosed an advertisement display scheduler.

Person et al, Using Windows 95, 1995, Que Corporation, Special Edition, page 147-149.

22.   A shortened statutory period for reply to this Office action is set to expire THREE

MONTHS from the mailing date of this action.

23.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kenny Lin whose telephone number is (703)305-0438. The

examiner can normally be reached on 8 AM to 5 PM Tuesday to Friday and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (703)305-9678. Additionally, the fax numbers for

Group 2100 are as follows:

Official Responses: (703) 746-7239

After Final Responses: (703) 746-7238

Draft Responses: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703)305-5140.

ksl
March 6, 2003

MENG-AI T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100